

Remarks

Claims 1-13 were pending in the application. Claims 1, 5, 9, and 11 have been amended. Claims 10 and 12-13 have been cancelled. No claims have been added. Thus, claims 1-9 and 11 are subject to continued examination.

35 U.S.C. §112 Rejections

Claim 1-9 stand rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. All of the pending claims have been amended to include formula (I). The Office Action points out that the specification is enabling for those chemical species clearly delineated. Consequently, applicants respectfully request that the rejection of all pending claims on the basis of 35 U.S.C. §112, first paragraph, should not be maintained.

Claims 12 and 13 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 12 and 13 have been cancelled thereby obviating this rejection. Moreover, amended claims 1, 5, 9 and 11 specify that the nucleating agent is a compound conforming to Formula (I) which is believed to be definite.

Non-Statutory Double Patenting Rejections

The Office Action states that claims 1-13 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over

claims 1-12 of U.S. Patent No. 6,599,711. Applicants believe that the examiner intended to cite U.S. Patent No. 6,559,211.

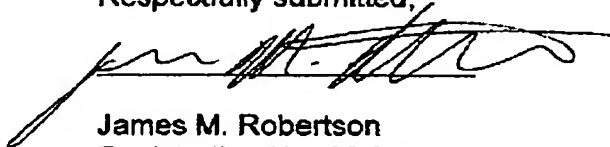
Applicants note that the present application and U.S. Patent 6,559,211 have at all times been commonly owned by the same entity. In light of the fact that all other issues are believed to have been addressed, the Examiner is encouraged to contact the attorney of record for facsimile transmission of an appropriate terminal disclaimer as may be required.

Conclusion:

For the reasons set forth above, it is respectfully submitted that all claims now stand in condition for allowance.

Should any issues remain after consideration of this Amendment and accompanying Remarks, the Examiner is invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

Respectfully submitted,



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